

**UNITED STATES BANKRUPTCY COURT
EASTERN DISTRICT OF VIRGINIA
RICHMOND DIVISION**

**In Re: CONALD WHITAKER, JR.
PAMELA WHITAKER**

Case No. 13-32537-DOT

OBJECTION TO CONFIRMATION AND NOTICE OF HEARING

NOW COMES the Chapter 13 Trustee, Robert E. Hyman and moves this Court to deny confirmation of the plan dated May 7, 2013 as your Trustee would suggest the plan is not filed in good faith. This plan proposes a minimum distribution to the unsecured creditors of 1% of their claims and at the same the debtors' plan proposes to retain three motor vehicles and at the first meeting of creditors testified that one of those motor vehicles is inoperative and thus retention of that vehicle would be at the cost of and to the detriment of the unsecured creditors herein. In addition the debtors propose to retain a second piece of real estate in which they stated they have no equity and the rent they receive for that real estate does not cover the cost of the mortgage and thus the retention of that property is again being proposed to the detriment of the unsecured creditors. For these reasons your Trustee would again suggest the plan is not filed in good faith and should be denied confirmation.

**NOTICE IS HEREBY GIVEN, PURSUANT TO LOCAL RULE 3015-
2(E)(2) THAT A HEARING ON THIS MOTION WILL BE HELD AT U. S.**

Robert E. Hyman, Chapter 13 Trustee
1313 E. Main Street, Suite 339
P.O. Box 1780
Richmond, VA 23218-1780
(804)775-0979 VSB No. 55708

BANKRUPTCY COURT, 701 EAST BROAD STREET, ROOM 5100

RICHMOND, VIRGINIA 23219, ON JULY 10, 2013, AT 11:10 A.M.

/s/ Robert E. Hyman
Robert E. Hyman, Trustee

Robert E. Hyman, Chapter 13 Trustee
1313 E. Main Street, Suite 339
P.O. Box 1780
Richmond, VA 23218-1780
(804)775-0979 VSB No. 55708

CERTIFICATE OF SERVICE

I hereby certify that a true copy of the foregoing OBJECTION AND NOTICE OF HEARING was served by first-class mail, postage prepaid, this 10th day of June, 2013 upon debtors, Conald Whitaker, Jr. and Pamela Whitaker, 313 Wilmer Ave., Richmond, VA 23227 and debtors' attorney, Rudolph C. McCollum, Jr., Esquire is being served by electronic notification at rudy@mccollumatlaw.com.

/s/ Robert E. Hyman
Robert E. Hyman, Trustee

**UNITED STATES BANKRUPTCY COURT
EASTERN DISTRICT OF VIRGINIA
RICHMOND DIVISION**

In re: **CONALD WHITAKER, JR.**
PAMELA WHITAKER

)
) **Case No. 13-32537-DOT**
) **Chapter 13**

Debtors

NOTICE OF OBJECTION

Robert E. Hyman, Chapter 13 Trustee, has filed papers with the court to deny confirmation of the plan dated May 7, 2013.

Your rights may be affected. You should read these papers carefully and discuss them with your attorney, if you have one in this bankruptcy case. (If you do not have an attorney, you may wish to consult one.)

If you do not want the court to grant the relief sought in the objection, or if you want the court to consider your views on the objection, then on or before seven (7) days before the date of the hearing, you or your attorney must:

 x File with the court, at the address shown below, a written response pursuant to Local Bankruptcy Rule 9013-1(H). If you mail your response to the court for filing, you must mail it early enough so the court will **receive** it on or before the date stated above.

Clerk of Court
U. S. Bankruptcy Court
United States Courthouse
701 East Broad Street, STE 4000
Richmond, VA 23219

You must also mail a copy to:

Robert E. Hyman, Chapter 13 Trustee
P.O. Box 1780
Richmond, VA 23218-1780

If you or your attorney do not take these steps, the court may decide that you do not oppose the relief sought in the objection and may enter an order granting that relief.

Date: June 10, 2013

/s/ Robert E. Hyman
Robert E. Hyman, Chapter 13 Trustee
P.O. Box 1780
Richmond, Virginia 23218-1780
(804) 775-0979 VSBN 5578

Certificate of Service

I hereby certify that I have this 10th day of June, 2013, mailed by first-class mail, postage prepaid or hand-delivered a true copy of the foregoing Notice of Objection to debtors, Conald Whitaker, Jr. and Pamela Whitaker, 313 Wilmer Ave., Richmond, VA 23227 and debtors' attorney, Rudolph C. McCollum, Jr., Esquire is being served by electronic notification at rudy@mccollumatlaw.com.

/s/ Robert E. Hyman
Robert E. Hyman, Trustee